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c 42 Motorized Snow Vehicles Amendment Act, 1981

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CHAPTER 42

An Act to amend the Motorized Snow Vehicles Act

Assented to November 19th, 1981

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 1 of the *Motorized Snow Vehicles Act*, being chapter 301 of the Revised Statutes of Ontario, 1980, is amended by adding thereto the following clauses:

(ca) "median strip" means the portion of a highway so constructed as to separate traffic travelling in one direction from traffic travelling in the opposite direction by a physical barrier or an unpaved strip of ground;

.

(ja) "school bus" means a school bus as defined in section 151 of the *Highway Traffic Act*.

R.S.O. 1980,
c. 198

2. The said Act is amended by adding thereto the following section:

s. 5a,
enacted

5a.—(1) Every driver of a motorized snow vehicle, when approaching or overtaking on a highway a stopped school bus that has two red signal-lights flashing, shall stop his vehicle before reaching the school bus and shall not proceed until the signal-lights are no longer operating.

Duty of
driver when
school bus
stopped on
highway

(2) Subsection (1) does not apply to a driver of a motorized snow vehicle on a highway with a median strip who is approaching a school bus that is stopped on the other side of the median strip.

Exception
to subs. (1)

3. Section 12 of the said Act is repealed and the following substituted therefor:

s. 12,
re-enacted

12.—(1) Every person in charge of a motorized snow vehicle who is directly or indirectly involved in an accident shall, if the

Duty to
report
accident

accident results in personal injuries or in damage to property apparently exceeding \$400 report the accident forthwith to the nearest provincial or municipal police officer and furnish him with information in respect of,

- (a) the names and addresses of the persons involved;
- (b) the date and location of the occurrence; and
- (c) the circumstances under which the accident occurred.

Disposition
of report

(2) A police officer receiving a report of an accident under subsection (1) shall forward the report to the Registrar of Motor Vehicles within ten days of receiving it.

s. 13,
amended

4. Section 13 of the said Act is amended by adding thereto the following subsection:

Exception

(5) Speed limits prescribed by this section or any regulation made or by-law passed under this section do not apply to a motorized snow vehicle operated by a police officer, constable or conservation officer in the lawful performance of his duties.

s. 15a,
enacted

5. The said Act is further amended by adding thereto the following section:

Stopping
for vehicles
with red
lights

15a.—(1) Every driver of a motorized snow vehicle when approached by,

- (a) a motorized snow vehicle with a flashing red light; or
- (b) a motor vehicle with a flashing red light, operated by a police officer or conservation officer,

shall immediately bring his vehicle to a standstill for the purpose of complying with section 15.

Where on
a roadway

(2) Where a driver to whom subsection (1) applies is on a roadway, he shall bring his vehicle to a standstill as near as is practicable to the right-hand edge of the roadway and clear of any intersection.

Red light

(3) No person except a police officer, constable or conservation officer shall operate a motorized snow vehicle that is equipped with a lamp that produces flashes of red light.

s. 20,
re-enacted

6. Section 20 of the said Act is repealed and the following substituted therefor:

20. Every person who is driving or riding on a motorized snow vehicle or is being towed by a motorized snow vehicle on any premises shall be deemed, for the purposes of subsection 4 (1) of the *Occupiers' Liability Act*, to have willingly assumed all risks where,

Risks willingly assumed for purposes of R.S.O. 1980, c. 322

(a) no fee is paid for the entry or activity of the person, other than a benefit or payment received from a government or government agency or a non-profit recreation club or association; and

(b) the person is not being provided with living accommodation by the occupier.

7. Section 22 of the said Act is repealed and the following substituted therefor:

s. 22, re-enacted

22. The owner of a motorized snow vehicle may be charged with and convicted of an offence under this Act or the regulations or any municipal by-law regulating, governing or prohibiting the operation of motorized snow vehicles, for which the driver of the motorized snow vehicle is subject to be charged unless, at the time of the offence, the motorized snow vehicle was in the possession of a person other than the owner without the owner's consent and on conviction the owner is liable to the penalty prescribed for the offence.

Owner may be convicted

8. Section 23 of the said Act is repealed.

s. 23, repealed

9. This Act comes into force on the day it receives Royal Assent.

Commencement

10. The short title of this Act is the *Motorized Snow Vehicles Amendment Act, 1981*.

Short title

